



DT07-3'd PCT/PTO 21 JAN 2003
PCT
DOCKET NO. CDS 219

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert T. Belly, et al.

Serial No.: 10/019,514 Group No.:

I.A. No.: PCT/US00/11651 Examiner:

I.A. Filing: May 4, 2000

For: RAPID AND EFFICIENT CAPTURE OF DNA FROM SAMPLE
WITHOUT USING CELL LYSING REAGENT

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C. 20231 on

January 16, 2003

(Date of Deposit)

Catherine Kurtz Gowen

Name of applicant, assignee, or Registered Representative


(Signature)

January 16, 2003

(Date of Signature)

Box DAC
Commissioner for Patents
Washington, D.C. 20231

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

1. Applicant petitions for the revival of the above-identified application.
2. Nature of abandonment: (check appropriate box and complete)
 In an office communication from the PTO dated , the undersigned has noted that the above-identified application is being forwarded to the Abandoned Files because applicant's response to the Official Action mailed has not been received within the statutory period or any extension requested therefor.
 The undersigned has reviewed his records and noted that the response to the Official Action mailed April 10, 2002 was not timely filed within the statutory period or any extension requested therefor.
3. Response filed:

The proposed response to the Official Action mailed

has been filed on
 is enclosed herewith.

4. Verified showings from the relevant parties as to the causes of the unavoidable delays are filed herewith.

5. It will be seen from the attached showings that the processing procedures have been carefully reviewed and that steps have been taken to avoid repetition of the events which took place in this case so that a similar error will not be made in the future.

6. Terminal disclaimer:

(application filed before June 8, 1995
or design application)

Abandonment took place on the following date November 11, 2002 and:

Since this petition is within six months of that date, no terminal disclaimer is required.

A terminal disclaimer equivalent to the period of abandonment of the application until the date of this petition is attached.

7. Status of applicant:

This application is on behalf of

small business entity--fee \$55.00

verified statement already filed on
 verified statement attached.

other than a small business entity--fee \$110.00

NOTE: The fee is set in 37 CFR 1.17(I).

8. Fee payment:

Charge the petition fee of \$110.00 to Account 10-0750/CDS-219/CKG and for any additional fee required. A duplicate of this petition is attached.

A check in the sum of \$ _____ is attached.

Charge Account 10-0750 for any additional fee required.

CK Gowen

Catherine Kurtz Gowen
Reg. No.: 32,148
Attorney for Applicant(s)

JOHNSON & JOHNSON
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New Brunswick, NJ 08933
Tel. No.: (732) 524-2681
Date: January 16, 2003